

**IN UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

JEFFERSON GRIFFIN,)	
)	
Plaintiff,)	
)	
v.)	NO. 5:24cv724
)	
NORTH CAROLINA STATE BOARD OF)	
ELECTIONS)	
)	
Defendant.)	
_____)	

**MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF IN OPPOSITION TO
REMAND**

Former Senate Majority Leader Thomas Daschle, former House Majority Leader Richard Gephardt, and former Representatives Christopher Shays, Jim Greenwood, Robert Wexler, Wayne Gilchrest, and Steve Israel respectfully move the Court for leave to file the accompanying proposed amicus curiae brief in opposition to remand.

A proposed amicus curiae brief is attached to this motion as Exhibit A. Pursuant to Local Rule 7.1(e), the Statement of Interest contained in Exhibit A is incorporated by reference as an accompanying memorandum to this Motion. As shown in the Statement of Interest, the Amici have a special interest in this matter as a bipartisan group of former representatives who helped to pass the Help America Vote Act in 2002. They are interested in the issue of whether this case should be remanded back to state court because they are uniquely situated to discuss Congress's intent in passing the Act, specifically as it relates to "Congress's intended division of labor between state and federal courts" which is an essential factor for the court to consider as it determines whether to remand. *Gunn v. Minton*, 568 U.S. 251, 258 (2013).

The undersigned have attempted to consult with Plaintiff's counsel to obtain consent to the filing of this motion; however, no response from Plaintiff's counsel has been received. Defendant and Intervenor-Defendants have consented to this motion.

Dated: December 31, 2024.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on this 31st day of December, 2024, I filed the foregoing motion with the Clerk of Court using the CM/ECF system, which will automatically serve electronic copies on all counsel of record.

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